

LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO

DAVE RICHTER EXCAVATING SERVICE dba PHENIX ROCK QUARRY

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of
limestone in the state of Missouri. The extent of the

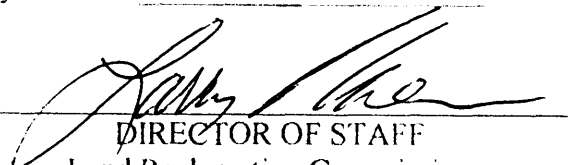
Proposed mining operation(s) will be on 10 acres, more or less.

The locations of the operation(s) under this permit is/are as follows: **Renewal**

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Greene	35	31N	24W	10	0	10	Phenix Quarry	0705

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo, 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 16th day of June 2004

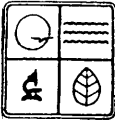

DIRECTOR OF STAFF
Land Reclamation Commission

Permit No. 0733

Effective Date 08/01/2004

Expiration Date 07/31/2005

MO 780-1122 (6-95)



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION

PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES JUN 9 - 2004

RECEIVED

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL Phenix Rock Quarry Inc		MISSOURI LAND RECLAMATION COMMISSION		DATE 5-24-04
ADDRESS 9455 N. FR 45		CITY Ash Grove	STATE Mo	ZIP CODE 65604
CONTACT PERSON David Richter - Lula Richter			TELEPHONE NUMBER (417) 788-2766	

FEES: COMPLETE SECTION I OR SECTION II

SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:

1. To compute the site fee complete the information below:

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months permit year pay \$150 For sites operated six months or more permit year pay \$300
1. Phenix Rock	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
2.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
3.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
4.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
5.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
6.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
7.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
8.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
9.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
10.	Jan, Feb, Mar, Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec	\$
TOTAL SITE FEE		\$

2. Acreage Fee \$5 X 10 number of acres bonded\$

3. Annual Permit Fee\$ 500

4. Total Fee (Add totals from 1, 2 and 3)\$

NOTE: If Total Fee exceeds \$2,500.00 then pay only\$ 2,500

SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:

1. Annual Permit Fee\$ 300	
SIGNATURE OF APPLICANT Lula Richter	TITLE Secretary
DATE 6-7-04	
Appeared before me this <u>7th</u> day of <u>June</u> , 20 <u>04</u> , to me personally known, who executed the above as their free acts and deeds.	
NOTARY PUBLIC EMBOSSEER SEAL	STATE OF <u>Missouri</u>
SUBSCRIBED AND SWORN BEFORE ME, THIS <u>7th</u> DAY OF <u>June</u> YEAR <u>2004</u>	
NOTARY PUBLIC SIGNATURE Kandace M Rhodes	MY COMMISSION EXPIRES 9/7/2004
NOTARY PUBLIC NAME (TYPED OR PRINTED) Kandace M Rhodes	
COUNTY (OR CITY OF ST. LOUIS) Greene	
USE RUBBER STAMP IN CLEAR AREA BELOW	
KANDACE M. RHODES Notary Public - Notary Seal STATE OF MISSOURI Greene County My Commission Expires Sept. 7, 2004	
FOR DEPARTMENT USE ONLY: APPROVED BY Michael J. Shuck	DATE APPROVED 6/16/04
PERMIT NUMBER 0733	EXPIRATION DATE 7/31/04

ct 4. of Mo
\$50.00



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION FORM

To be completed for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER <u>Phoenix Rock</u>		PERMIT NUMBER
COMPANY NAME <u>Dave Richter Excavating Service</u>		
COUNTY <u>Greene</u>	1/4 SECTION <u>NW</u>	SECTION <u>35</u>
TOWNSHIP <u>31 N</u>	RANGE <u>24 W</u>	ACRES <u>10</u>
RIVER OR STREAM NAME (FOR IN-STREAM ACRES)		
MINERAL COMMODITY <u>Limestone</u>		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) <u>60,000</u>

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) <u>David Richter</u>		
ADDRESS <u>6657 N. FR. Rd. A1</u>		
CITY <u>Willard</u>	STATE <u>Mo.</u>	ZIP CODE <u>65781</u>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) <u>David Richter</u>		
ADDRESS <u>6657 N Farm Rd A1</u>		
CITY <u>Willard</u>	STATE <u>Mo</u>	ZIP CODE <u>65770</u>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT
<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT		

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
MINE PLAN

RECEIVED
JUN 12 1997

MISSOURI LAND

P.O. BOX 176
JEFFERSON CITY, MO 65102

TYPE OF PLAN (CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

☒ LONG TERM, FOR PERIOD THROUGH DATE: 7/1/2015

COMPANY NAME

RECLAMATION COMMISSION

DAVE RICHTER LTD. REVEGETATING SERVICE

DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY.

1 THE 10 ACRES are located on the Northwest corner of the old Phenix Quarry. The Phenix Quarry began operation in the 1800's. The 10 Acres is located in the existing pit.

A 70 ft. high wall encloses 3 sides of the pit; North, west & south walls. The pit floor is flat & made of stone. The east end of the pit is covered with a pile of waste stone.

No Vegetation exists, except for an occasional cottonwood tree.

OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.

A. TOPSOIL

AVERAGE DEPTH OF TOPSOIL, PRIOR TO LAND RECLAMATION COMMISSION PERMITTING

2 -0- INCHES

IS TOPSOIL TO BE SOLD OR DISCARDED OFFSITE?

☐ YES OR ☒ NO

3 DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL

No topsoil exists on the proposed site. Topsoil will be produced by screening the waste stone piles. These stone piles contain soil and rock fines that have been used successfully to revegetate portions of the site. The material was tested by the county extension office and the results are provided.

A photo is included of the revegetated portion of the site using this topsoil substitute.

4 DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL STORAGE AND PROTECTION

once the topsoil is screened from the wasterock it will be stored in a graded stockpile using truck & loader. A dozer will grade the stockpile. The stockpile will be seeded with wheat, rye & fescue to prevent erosion.

B. SPOIL

MISSOURI LAND

DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL

RECLAMATION COMMISSION

Because this 10 Acre site was an active quarry. All spoils are removed. The waste rock that will be screened to produce topsoil.

C. ACID MATERIALS

DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS (IF NONE IS ANTICIPATED, WRITE "NONE" BELOW)

" NONE "

D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)

DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS

see provided site map included

YES NO

☐ ☒ Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?

☐ ☒ Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right of way, and in no case may the excavation be closer to the right of way than fifty feet or twenty-five feet plus one and one-half (1-½) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

☐ ☒ Will any excavation start at or within fifty feet (50') of any property line? (NOTE: If the answer is "yes", a safety barrier may be needed.)

RECLAMATION PLAN - 10 CSR 40-10.020(2)(D)2.

MISSOURI LAND

A. REVEGETATION (Attach additional sheets, if needed)

RECLAMATION COMMISSION

REVEGETATION MIX #1	PURPOSE OR LAND USE	B. SEEDING OR PLANTING TIME
	Agriculture	Spring / Fall

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

once the soil is spread over the pit with a truck & dozer, a harrow will prepare the soil for seeding. The grass seeds will be distributed with a farm tractor. Trees will be planted manually.

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
wheat	10	OAK	50
rye	10	walnut	100
buffalo	15	Ash	100
Fescue	20		

REVEGETATION MIX #2	PURPOSE OR LAND USE	B. SEEDING OR PLANTING TIME

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

see above

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
see above			

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES.

JUN 12 1997

MISSOURI

B. GRADING**RECLAMATION COMMISSION**

DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES

70 ft vertical wall will remain as existing, the floor will remain relatively level with draining flowing into water impoundment.

C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITIES**GRADING**

estimate life of the pit will be 15 yrs or year 2015; once the pit has advanced 200 ft beyond the highwalls the walls will be cut to a 3:1 slope. The remaining pit will be revegetated as the pit advances to the east.

REPLACEMENT OF TOPSOIL

Once the highwalls are cut to grade the top soil will be spread across the slope. It will take approximately 2 years to cover the slope with soil. The pit floor will be covered with soil as the pit advances east.

REVEGETATION

Seeding will begin immediately after the topsoil is spread across the slopes & floor.
Optimum planting time is fall & spring.

AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES)

18" - none present using 18" of best material present

D. USE OF LAND WHEN RECLAIMED

Estimate acreage of each land use below, after reclamation

ESTIMATED ACRES:

Wildlife (forest or other habitat with livestock excluded)

NONE

Agricultural (pasture, cropland, and horticultural)

10

Development (residential, industrial, and recreational)

NONE

Water impoundments (for wildlife, agricultural, or development)

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RECEIVED
JUN 12 1997
MISSOURI LAND
RECLAMATION COMMISSION

By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo [REDACTED] and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's for all proposed post-reclamation land uses.
4. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

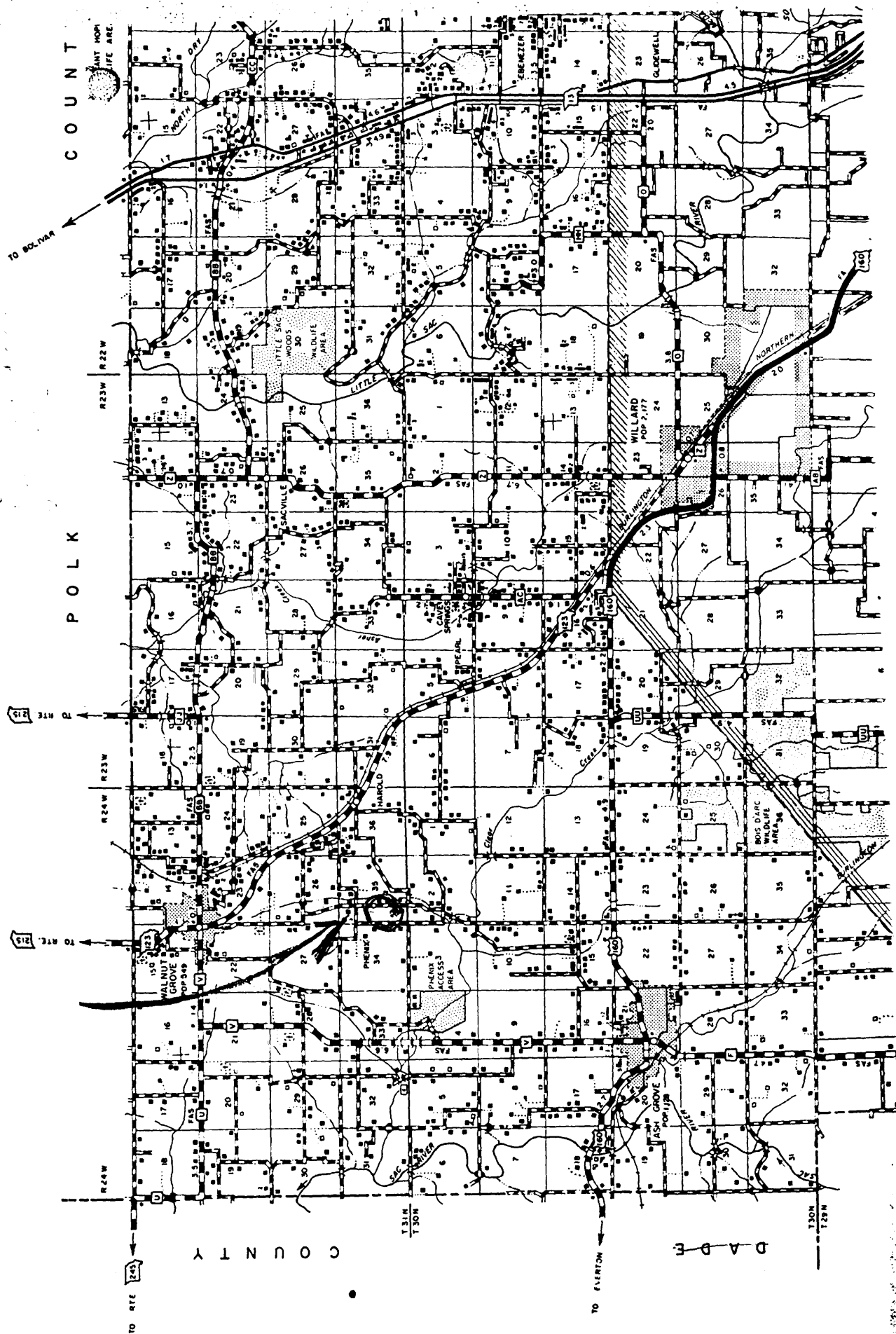
SIGNATURE OF APPLICANT <i>David Richter</i>		TITLE owner	DATE 6-1-97
NOTARY PUBLIC EMBOSSEER SEAL	STATE MISS.	COUNTY (OR CITY OF ST. LOUIS) Greene	
SUBSCRIBED AND SWORN BEFORE ME, THIS 2nd DAY OF June 19 97		USE RUBBER STAMP IN CLEAR AREA BELOW	
NOTARY PUBLIC SIGNATURE <i>Nell Harman</i>		MY COMMISSION EXPIRES 1-25-2001	
NOTARY PUBLIC NAME (TYPED OR PRINTED) Nell Harman			
APPROVED BY (DIRECTOR'S REPRESENTATIVE) <i>Michael Heluli</i>		DATE APPROVED 7-30-97	PERMIT NUMBER 733

$$\begin{array}{r} 95 \\ 5 \overline{) 475} \end{array}$$

250

S35, T31N, R24W

Phoenix Quarry



RECEIVED

JUN 13 2002

MISSOURI LAND
RECLAMATION COMMISSION

Sugar Creek

Sugar Creek

10 ACRES
Current
area
of mining

FEET
250 500
SCALE

NORTH

Quarry

(417) 788-2636

9455 N. FR 45 ASH GROVE MO 65604
OWNER: DAVE RICHTER

PHENIX SITE
Greene Co MO.

S35 - T31N - R24W

SW 1/4 NW 1/4 + NW 1/4 SW 1/4